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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/159,833	09/24/1998	KENICHI UTSUMI	1990.62597	5612

24978 7590 07/02/2004

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CHICAGO, IL 60606

EXAMINER

JACKSON, JENISE E

ART UNIT	PAPER NUMBER
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2131

26

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/159,833

Applicant(s)

UTSUMI ET AL.

Examiner

Jenise E Jackson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-8,10 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-8,10 and 13-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-4, 6-8, 10, 13-14, 18, 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rupp.

3. As per claims 1, 3, 6, 10, 18, Rupp teaches a first user can protect access to information recorded on a medium with a second password(see lines 17-23), Rupp teaches a first user because, Rupp teaches that a first user is the person in charge of the MIS department, and can protect access to information recorded on a medium with a master password(see lines 17-23), and can selectively permit the first and second user to access the information without the second password(see lines 19-20), because Rupp teaches that a supervisor can unlock any hard drive regardless of the individual password(see lines 19-20). Thus, the supervisor of Rupp can unlock any hard drive in the department, and the second user does not have to have the master password, which is the second password(see lines 17-23) . Rupp inherently discloses a password preserving unit, because the master password and the default password must be preserved in order to grant access, and thus are verified, because access is granted based upon if the correct password is given(see lines 11-23). This granted access of Rupp is the hard drive many be unlocked with the default password, and locked or unlocked with the master password(see lines 11-16, lines 17-23). Rupp also, teaches that when a user does not input a password, because

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Rupp teaches that a user does not need to input a password every time, the default password is used to unlock the hard drive, thus when the password is in agreement it unlocks the hard drive(see lines 11-16), if the password is not in agreement is inherent in Rupp, because a password is compared to a stored password in order to grant access. The access being the unlocking feature of Rupp(see lines 17-23).

4. As per claims 3-4, limitations already been addressed(see claim 1). Also, as per claims 3-4, a first password is read entering a prompt, Rupp teaches that the disk can be locked by entering a prompt(see lines 24-27).

5. As per claim 9, Rupp teaches that in the medium(see lines 4-5), a password preserving area to preserve the second password is provided in a specific area which cannot be accessed by an ordinary read command and write command, because Rupp teaches that a supervisor with the master password can unlock any hard drive(see lines 17-23).

6. As per claim 11, Rupp teaches wherein the medium is a medium fixedly enclosed in the apparatus main body, because Rupp teaches a hard drive(see lines 24).

7. As per claim 12, Rupp teaches wherein the medium is a removable medium, which is detachable from the apparatus main body, because a hard drive may be removed(see lines 47-49).

8. As per claims 13, 20, limitations have already been addressed(see claim 1). Also, as per claim 13, Rupp teaches a plurality of kinds of passwords, because Rupp teaches a default password and a master password(see lines 8-9).

9. As per claim 14, Rupp teaches that a hard disk can be unlock with providing the correct password, the default password, therefore, one can access the hard disk and read/write to the disk, by unlocking the disk(see lines 11-23).

10. As per claims 7-8, limitations already addressed(see claim 1). Also, as per claims 7-8, the second password is set on the hard drive(non-volatile memory)(see lines 17-19). The first password, default password is on a hard disk of Rupp(see lines 4-7)

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 15-17 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rupp in view of Bellmore et al.

13. As per claims 15-17 and 21, Rupp teaches, a first user can protect access to information recorded on a medium with a second password(see lines 17-23), Rupp teaches a first user because, Rupp teaches that a first user is the person in charge of the MIS department, and can protect access to information recorded on a medium with a master password(see lines 17-23), and can selectively permit the first and second user to access the information without the second password, because Rupp teaches that a supervisor can unlock any hard drive regardless of the individual password(see lines 19-20). Thus, the supervisor of Rupp can unlock any hard drive in the department, and the second user does not have to have the master password, which is the second password(see lines 17-23). Rupp inherently discloses a password preserving unit,

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because the master password and the default password must be preserved in order to grant access, and thus are verified, because access is granted based upon if the correct password is given(see lines 11-23). This granted access of Rupp is the hard drive may be unlocked with the default password, and locked or unlocked with the master password(see lines 11-16, lines 17-23). Rupp also, teaches that when a user does not input a password, because Rupp teaches that a user does not need to input a password every time, the default password is used to unlock the hard drive, thus when the password is in agreement it unlocks the hard drive, if the password is not in agreement is inherent in Rupp, because a password is compared to a stored password in order to grant access(see lines 11-16, lines 17-23). The access being the unlocking feature of Rupp. Rupp fails to teach a validity term for setting the validity term into the first password, and a counter, and changing the password. Bellmore discloses setting a validity term into the first password, counter, and changing the password(see col. 2, lines 39-55, col. 4, lines 16-42, col. 6, lines 38-63 of Bellmore).

14. It would have been obvious to one of ordinary skill in the art at the time of the invention to include Rupp with Bellmore, to include a validity term for setting the validity term into the first password, and a counter, and changing the password, the motivation is that passwords are a password can be guessed correctly, because users generally pick a password that is a small number of characters(see col. 2, lines 13-25 of Bellmore). Thus, in changing the password after a certain amount of time provides a more secure system, in which passwords cannot be easily guessed(see col. 2, lines 13-25 of Bellmore).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenise E Jackson whose telephone number is (703) 306-0426. The examiner can normally be reached on M-Th (6:00 a.m. - 3:30 p.m.) alternate Friday's.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




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